

**VILLAGE OF ANGEL FIRE**  
**Council Regular Meeting Minutes**  
**Tuesday September 9<sup>th</sup>, 2014 at the Village Hall**

**Call to Order**

Mayor Cottam called the meeting to order at 5:30 PM

**Pledge of Allegiance**

Mayor Cottam called for the Pledge of Allegiance.

**Roll Call**

Present were Mayor Cottam, Mayor Pro-tem Howe, Councilor Lanon, Councilor Germscheid, Councilor Colenda. Also present Village Manager Jay Mitchell, Village Clerk Terry Cordova and Village Attorney Joe Canepa. A quorum was present.

**Approval of Agenda**

Mayor Pro-tem Howe made the motion to approve the agenda, Councilor Lanon seconded. Motion carried 4-0

**Approval of Consent Agenda**

**1. Approval of August 20<sup>th</sup> Regular Council Meeting Minutes**

Mayor Pro-tem Howe made the motion to approve the consent agenda, Councilor Lanon seconded. Motion carried 4-0

**Requests and Responses from the Audience (Limited to 3 minutes)**

**Barbara Thorne** – Asked that council vote down the wildfire protection ordinance and asked that the village check the road conditions on El Camino Real.

**Announcements and Proclamations**

- 1. September 17-23 Constitution Week** – Mayor Cottam read a proclamation declaring the week of September 17-23 Constitution Week.

**Reports:**

- a. Governing Body Report** Councilor Colenda invited everyone to the public works committee meeting to be held on Wednesday and encouraged those interested to join the committee. Mayor Pro-tem Howe reported about the brick laying ceremony at the memorial, we did 430 regular bricks and 8 Medal of Honor. Then we had dinner in Eagle Nest for about 150 people. This weekend is the million dollar hole in one at the resort and some of the proceeds will go towards the veteran's wellness and healing program. Also next weekend is Oktoberfest that will be held here and both veterans from Angel Fire and Taos will share in the proceeds. Mayor Pro-tem Howe encouraged everyone to attend.
- b. Manager's Report** Manager Mitchell reminded everyone that Thursday was the remembrance of 9/11
- c. Staff Reports** Police Chief Warren Morey introduced Brad McCaslin the villages new police lieutenant.

**Old Business**

**A. Discussion/ Approval of an Ordinance Amending the Uniform Traffic Ordinance (UTO) (2<sup>nd</sup> Reading ) (Public Hearing )**

Mayor Cottam opened the public hearing at 5:39pm, with no input she closed it at 5:39.

Mayor Pro-tem Howe made the motion pass the second reading of an ordinance amending the uniform traffic ordinance , Councilor Germscheid seconded . With no discussion the motion carried 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor Lanon –aye, Councilor Colenda –aye.

**B. Discussion / Approval of an Ordinance Amending Title Nine of the Village Code (2<sup>nd</sup> Reading ) (Public Hearing )**

Mayor Cottam opened the public hearing at 5:39 . Burl Smith , Village Building Inspector explained the reason for the change stating that at this time the current code does not have any teeth in it for enforcement . He also explained that this aligns with other codes for planning and zoning . With no further input Mayor Cottam closed the



1 public hearing at 5:41pm . Mayor Pro Tem Howe made the motion to approve 2<sup>nd</sup>  
2 reading of an ordinance amending title nine of the village code , Councilor Germscheid  
3 seconded . With no further discussion the motion carried 4-0 with Mayor Pro-tem Howe  
4 -aye, Councilor Germscheid -aye, Councilor Lanon - aye, Councilor Colenda -aye.

5 **C. Discussion / Approval of an Ordinance Amending Chapters Three (3) and Seven**  
6 **(7) of Title Nine (9) of the Village Code (2<sup>nd</sup> Reading ) ( Public Hearing )**

7 Mayor Cottam opened the public hearing at 5:41pm . Alfred Smith expressed his  
8 concerns with the changes and asked that council vote down this ordinance. Mike  
9 Robertson expressed his concerns with the changes and asked that council vote down  
10 the ordinance and send it back to the committee for more work . The audio recording of  
11 the public hearing is available in the clerk's office. With no further input the public  
12 hearing was closed at 5:46pm . Councilor Colenda made the motion to disapprove of an  
13 ordinance amending chapters three and nine of the village code and to direct the staff  
14 and committee to conduct additional research and educational outreach ,continue  
15 gathering public input to develop new recommendations for a wild fire protection  
16 program and supporting ordinances , such recommendations should fully consider  
17 public input and will be presented to council no late then the first (1<sup>st</sup> ) meeting in  
18 February . Councilor Lanon seconded . With no further discussion the motion carried 4-  
19 0 with Mayor Pro-tem Howe -aye, Councilor Germscheid -aye, Councilor Lanon -aye,  
20 Councilor Colenda -aye.

21 **New Business**

22  
23 **A. Presentation by Louis Reyes of Kit Carson on a Proposed Solar Array Project**

24 Louis Reyes from Kit Carson stated that he had three items he wanted to go over , 1.) is  
25 the Global Settlement , Kit Carson along with three other coops are protesting the rates .  
26 The coops have decided that it is not all about rates it is about their contracts . It is Kit  
27 Carson desire to get out of it contract with Tri-State and look for another power  
28 company to contract with . We are asking support from local public officials . We will  
29 have a 15 month window to look for a new power supplier . This does come with a cost,  
30 Tri-State is asking for a .00226 cent increase which is about a \$1.10 increase to the  
31 average bill for the next 15 months while we look for a more favorable contract . We  
32 think that is worth the investment . The 2nd) item he went over was the solar power .  
33 We will be looking at solar power at the Allen Fields . We would hope to do a project  
34 like this in the 2015/2016 time frame . The 3rd) item was the broadband project. We  
35 are 70% done at this time. End of October ,first of November is the time frame for hook  
36 ups in the Angel Fire area .

37 **B. Discussion /Approval of Resolution 2014-40 a Resolution to Participate in the FY**  
38 **2014-2015 New Mexico Clean and Beautiful Grant Program**

39 Tracy Orr , Marketing and Development Manager explained the village applied for a  
40 grant through New Mexico clean and beautiful and was awarded the amount of \$2,000.  
41 With budget cuts this is lees then what we received last year . Manager Mitchell added  
42 that this was already in this year's budget. Mayor Pro-tem Howe made the motion to  
43 approve resolution 2014-40 a resolution to participate in the FY 2014-2015 New Mexico  
44 clean and beautiful grant program to be used for littler eradication and beautification ,  
45 Councilor Germscheid seconded . With no further discussion the motion carried 4-0  
46 with Mayor Pro-tem -aye, Councilor Germscheid -aye, Councilor Lanon -aye,  
47 Councilor Colenda -aye.

48 **C. Discussion / Approval of Resolution 2014-41 a Resolution Authorizing Execution of**  
49 **the 2014-2015 NMODT Municipal Arterial Program Cooperative Agreement**  
50 **Project**

51 Tracy Orr , Marketing and Development Manager explained that the village received  
52 MAP funding for the planning, design, drainage improvements , reconstruction ,  
53 material testing and construction for Camino Grande from NMSR 434 to Moreno Valley



1 High school . The total cost of the project is estimated at \$340,000. NMDOT's share is  
2 \$255,000 and the village's share is \$ 85,000 . This will fund phase two of this project.  
3 Councilor Colenda asked how many phases were there . Manager Mitchell stated that  
4 there were four (4) but that they were looking into working it into three (3) . The first  
5 one was delayed because of some environmental issues that we have overcome with the  
6 help of Dennis Engineering . Phase one was to start this fall but will not start until April  
7 of 2015 . There will be a slight extension and therefore be able to do phase one and two  
8 at the same time and take advantage of the weather . Mayor Pro-tem Howe made the  
9 motion to approve resolution 2014-41 a resolution authorizing execution of the 2014-  
10 2015 NMDOT municipal arterial program cooperative agreement project no. MAP-7507  
11 (962) Control no. L400167, Councilor Colenda seconded . With no further discussion  
12 the motion carried 4-0 with Mayor Pro-tem Howe -aye, Councilor Germscheid -aye,  
13 Councilor Lanon-aye. Councilor Colenda -aye.

14 **D. Discussion / Approval of an Ordinance Amending Title 7, Chapter 4 , Section 1;  
15 Connection to Public System Requirements (1<sup>st</sup> Reading ) (Public Hearing )**

16 Mayor Cottam opened the public hearing at 6:33pm . Manager Mitchell explained that  
17 as the Valley of the Utes sewer connection to the main sewer line has not yet been  
18 constructed, this amendment allows for the construction of homes with advanced septic  
19 systems that would not be required to hook-up to the municipalities main lines within  
20 the currently required 6 months period providing that they continue to meet village and  
21 /or state requirements for their septic system usage. Joe Canepa , Village Attorney added  
22 that this amendment may factually address the issues at the Valley of the Utes but it  
23 applies generally throughout the village . With no further input Mayor Cottam closed the  
24 public hearing at 6:36pm. Mayor Pro-tem Howe made the motion to approve first  
25 reading of an ordinance amending section 1 connection to public system requirements ,  
26 chapter 4, sewer system regulations of title 7 of village code , Councilor Germscheid  
27 seconded . Councilor Germscheid disclosed that she worked at the resort , council  
28 members did not have a problem with her voting . With no further discussion the  
29 motion carried 4-0 with Mayor Pro-tem Howe -aye, Councilor Germscheid -aye,  
30 Councilor Lanon-aye, Councilor Colenda -aye.

31 **E. Executive Session Per NMSA 10-15-1H (7)**

32 **1. Pending Litigation**

33 **A. Transfer Agreement**

34 Mayor Pro-tem Howe made the motion to go into executive session at 6:37pm,  
35 Councilor Lanon seconded. With no discussion the motion carried 4-0 with Mayor Pro-  
36 tem Howe -aye, Councilor Germscheid -aye, Councilor Lanon-aye, Councilor  
37 Colenda -aye.

38  
39 Councilor Lanon made the motion to come out of executive session at 7:47pm,  
40 Councilor Germscheid seconded. With no discussion the motion carried 4-0 with Mayor  
41 Pro-tem Howe -aye, Councilor Germscheid -aye, Councilor Lanon -aye, Councilor  
42 Colenda -aye.

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44 Mayor Cottam stated that only the items on the agenda were discussed and no decisions  
45 were made.

46  
47 Mayor Pro-tem Howe made the motion to direct village council to proceed with an  
48 agreement on pending litigation tomorrow , Councilor Colenda seconded . Councilor  
49 Germscheid disclosed that she worked at the resort , council members did not have a  
50 problem with her voting . With no further discussion the motion carried 4-0 with Mayor  
51 Pro-tem Howe-aye, Councilor Germscheid -aye, Councilor Lanon-aye, Councilor  
52 Colenda -aye.  
53

1       **Adjournment**

2       Councilor Lanon made the motion to adjourn at 7:48 pm, Councilor Germscheid seconded. Motion carried  
3       4-0

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5       **Passed, Approved and Adopted on this 23<sup>rd</sup> day in September, 2014**

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8         
9       Barbara Cottam, Mayor

10      **ATTEST:**

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12      Terry Cordova, Village Clerk